

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 3600
Application No. 09/922,496
Paper Dated: January 31, 2005
In Reply to USPTO Correspondence of December 29, 2004
Attorney Docket No. 3265-011266

REMARKS

The Office Communication of December 29, 2004 has been reviewed and the Examiner's comments therein carefully considered. The present Amendment cancels claims 15, 17, 19 and 20. Accordingly, claims 1, 4-14, 16, 18 and 21-28 remain in this application.

The Examiner is thanked for the courtesies extended to the undersigned in a telephonic interview on January 28, 2005 directed to the Office Communication. In that Communication, the Examiner noted that action should be taken within one month of the date of the letter, or the Examiner would cancel certain claims by Examiner's Amendment and pass the case to issue.

In the Office Communication, the Examiner maintained his restriction requirement with respect to Species IV comprising Figure 29 in the present application. In particular, the Examiner indicted that the requirement was proper and made final. On this basis, the Examiner indicated that claims 15-20, 27 and 28 would be withdrawn from further consideration pursuant to 37 C.F.R. § 1.142(b) as being drawn to a non-elected species. In this regard, the Examiner indicated that the application would be in condition for allowance, except for the presence of claims 15-20, 27 and 28, which are drawn to a non-elected species.

Of claims 15-20, 27 and 28, which the Examiner indicated would be cancelled by Examiner's Amendment if no response to this communication were forthcoming, includes claims 16, 18, 27 and 28. Claims 16 and 18 depend from claim 12, which has been deemed allowable by the Examiner. Claim 27 depends from claim 26, which has been deemed allowable by the Examiner. Further, claim 28 depends from claim 25, which has also been deemed allowable by the Examiner. Therefore, Applicant has opted to rejoin these claims, as each of these claims is based upon an allowable base claim or intervening claim.

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In summary, the Examiner has indicated that independent claim 1 is allowed. Therefore, all of claims 4-6, 8, 12-14, 16, 18 and 21-23 are likewise allowable. In particular, these claims depend either directly or indirectly from and add further limitations to independent claim 1. Independent claim 7 has been allowed. Independent claim 9 and dependent claim 10 have been allowed. Independent claim 11 has been allowed. Further, independent claim 24 has been allowed. Finally, claims 26-28 depend, either directly or indirectly from, and add further limitations to independent claim 25, which has been allowed by the Examiner. Therefore, claims 25-28 are in allowable form.

For all of the foregoing reasons, claims 1, 4-14, 16, 18 and 21-28 are in allowable form, as agreed to by the Examiner in the Office Communication and the recent telephonic conference. Accordingly, allowance of claims 1, 4-14, 16, 18 and 21-28 is respectfully requested.

Respectfully resubmitted,

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